



McGregor W. Scott

United States Attorney
Eastern District of California

Sacramento
501 I. Street, Ste 10-100
Sacramento CA 95814
Tel (916) 554-2700
TTY (916) 554-2855

NEWS RELEASE

Fresno
2500 Tulare St., Suite 4401
Fresno, CA 93721
Tel (559) 497-4000
TTY (559) 497-4500

FOR IMMEDIATE RELEASE

October 30, 2006

Contact: Mary Wenger 916-554-2730

<http://www.usdoj.gov/usao/ca/e/home/>

DONALD "MITCH" SHIVELEY SENTENCED TO 5 YEARS AND TEN MONTHS FOR \$ 2 MILLION INVESTMENT FRAUD

SACRAMENTO--United States Attorney McGregor W. Scott announced today that DONALD "MITCH" SHIVELEY, 35, of Orangevale, California, was sentenced today by United States District Judge Frank C. Damrell, Jr., to 70 months imprisonment. The defendant had pleaded guilty to one count of mail fraud for perpetrating a nearly \$2 million investment fraud on August 14, 2006.

This case is the product of an extensive investigation by the United States Secret Service.

According to Assistant United States Attorney Matthew D. Segal, who prosecuted the case, Judge Frank C. Damrell, Jr., in sentencing the defendant, said that the case was unique among investment frauds in that SHIVELEY had selected close, personal friends as his victims. SHIVELEY fraudulently told victims that he would invest money on their behalf, and directed them to deposit money into his own investment account. He then created and sent them false IRS forms and account statements reflecting balances that did not exist and earnings that had not accrued.

SHIVELEY's sentencing was one of the first in this District in which victims exercised their right to address the court under the recently enacted "Justice for All Act." Two victims addressed the court and the defendant personally; two had letters read aloud in court, and others' statements were reviewed by the judge.

###